

TOWN OF DAVIE TOWN COUNCIL AGENDA REPORT

TO: Mayor and Councilmembers

FROM/PHONE: Russell C. Muniz, Town Clerk / 797-1023

SUBJECT: Resolution

AFFECTED DISTRICT: District 2

TITLE OF AGENDA ITEM: A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, EXECUTING A QUIT CLAIM DEED TO CONVEY CERTAIN PROPERTY FROM THE TOWN OF DAVIE TO MELVIN AND HELEN HAGGARD; AND PROVIDING AN EFFECTIVE DATE.

REPORT IN BRIEF: Mr. and Mrs. Haggard contend that they purchased two parcels of land totatling 2/3 of an acre in 1981. They purport that at the time of closing an error was made which legally only transferred half of the intended property, or 1/3 of an acre to the Haggards. As a result the 1/3 was seized by Broward County for non payment of taxes, and subsequently transferred to the Town.

On September 21, 2005 the Town Council agreed to the Haggard's proposal to buy the parcel in question back from the Town for \$9,091.61 plus Town Attorney fees. Upon executing the quit claim deed and tendering to the Haggard's attorney Mr. Hodges the Town will receive \$10,421.61.

PREVIOUS ACTIONS: R-2005-259 – Hold Harmless Agreement

CONCURRENCES: N/A

FISCAL IMPACT: Revenue in the amount of \$9,091.61 plus attorneys fees (\$10,421.61 total).
Has request been budgeted? N/A

RECOMMENDATION(S): Motion to approve resolution.

Attachment(s): Resolution, Exhibit A – Quit Claim Deed, and memo from Attorney Kiar.

Resolution _____

A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, EXECUTING A QUIT CLAIM DEED TO CONVEY CERTAIN PROPERTY FROM THE TOWN OF DAVIE TO MELVIN AND HELEN HAGGARD; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Melvin Haggard and Helen Haggard wish to acquire land currently owned by the Town of Davie; and

WHEREAS, the Town of Davie agrees to sell the land to Melvin and Helen Haggard for \$9,091.61 plus attorney's fees, and in furtherance thereof has tendered a Quit Claim Deed to the Melvin and Helen Haggard.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF DAVIE, FLORIDA:

SECTION 1. The grant made by Quit Claim Deed dated March 1, 2006, a copy of which is attached hereto as "Exhibit A," is hereby accepted.

SECTION 2. This resolution shall take effect immediately upon its passage and adoption.

PASSED AND ADOPTED THIS ____ DAY OF _____, 2006

Mayor/Councilmember

ATTEST:

Town Clerk

APPROVED THIS ____ DAY OF _____ 2006